

**THE MINUTES OF THE HOUSE STANDING COMMITTEE  
ON  
GOVERNMENT OPERATIONS**

**Tuesday, April 18, 2006**

**10:30 a.m.**

**Room 326 House Office Building**

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The House Standing Committee on Government Operations was called to order by **Representative Leon Drolet**, Chair.

**MEMBERS PRESENT:** Representatives Drolet, Hoogenadyk, Gosselin, Garfield, Sheen, Emmons and Tobocman.

**MEMBERS ABSENT/EXCUSED:** Representatives Lipsey and Lemmons, III.

**Chairman Drolet** laid **HB 5817, HB 5818, HB 5819, and HB 5820** before the committee:

HB 5817	Tobocman	Land use; condemnation; payments to residential occupants who move due to condemnation actions; increase maximum.
HB 5818	Drolet	Land use; condemnation; reimbursement for witness fees in certain actions regarding condemnation; provide for.
HB 5819	Garfield	Land use; condemnation; timing of compensation payments in condemnation actions; revise.
HB 5820	Lemmons, III	Land use; condemnation; provisions regarding escrowed compensation dedicated to cost of environmental remediation; revise.

**TESTIMONY**

**Representative Tobocman**, sponsor of **HB 5817**, explained his bill to the committee.

**Brad Williams**, representing the Michigan Department of Transportation, testified before the committee on the package of bills.

**Brad Ward**, representing the Michigan Association of Realtors, testified before the committee in support of the bills.

**Matt Delong**, representing the Michigan Department of Transportation, Real Estate Division, testified before the committee in opposition to the bills.

**Eric Smith**, representing the Michigan Department of Transportation, Real Estate Division, testified before the committee in opposition to the bills.

**Lee Schwartz**, representing the Michigan Association of Home Builders, turned in a testimony card in support of the bills but did not wish to speak.

**Andy Schor**, representing the Michigan Municipal League, turned in a testimony card in opposition to the bills but did not wish to speak.

**Joseph Rivet**, representing the Michigan Association of County Drain Commissioners, turned in a testimony card in support of the bills as amended but did not wish to speak.

**Representative Tobocman** moved to report **HB 5817** with recommendation. The motion was supported by **Representative Garfield**.

The motion prevailed by a vote **6-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Tobocman.

Nays: None.

Pass: None.

**Representative Tobocman** moved to adopt the following amendment to **HB 5818**. The motion was supported by **Representative Garfield**.

1. Amend page 3, line 8, after "**ANY**" by striking out "**PROCEEDING**" and inserting "**MATTER**".
2. Amend page 3, line 8, after "**ACT**" by striking out "**BROUGHT BY**" and inserting "**INVOLVING THE RELOCATION OF**".
3. Amend page 3, line 9, by striking out "**PLAINTIFF**" and inserting "**PERSON**".
4. Amend page 3, line 10, after "**AWARD**" by inserting "**REASONABLE**".
5. Amend page 3, line 13, after "**THE**" by striking out "**PLAINTIFF**" and inserting "**INDIGENT PERSON**".
6. Amend page 3, line 15, after "**SUBSECTION,**" by striking out ""**INDIGENT**"" and inserting ""**INDIGENT PERSON**"".
7. Amend page 3, line 16, after "**BELOW**" by striking out "**125%**" and inserting "**200%**".

The motion prevailed by a vote **6-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Tobocman.

Nays: None.

Pass: None.

**Representative Tobocman** moved to report **HB 5818** and an (**H-1**) substitute with recommendation. The motion was supported by **Representative Sheen**.

The motion prevailed by a vote **6-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Tobocman.

Nays: None.

Pass: None.

**Representative Tobocman** moved to adopt the following amendment to **HB 5819**. The motion was supported by **Representative Garfield**.

1. Amend page 2, line 1, after "need." by striking out "**HOWEVER**" and inserting "**IF THE SURRENDER OF POSSESSION OF PROPERTY REQUIRES RELOCATION**".
2. Amend page 2, line 2, after "**OWNER**" by inserting "**OR RELOCATED PERSON**".
3. Amend page 2, line 10, after "**DWELLING**" by inserting a comma and "**NOT TO EXCEED 180 DAYS FROM THE DATE MOVING EXPENSES ARE PAID,**".

The motion prevailed by a vote **6-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Tobocman.

Nays: None.

Pass: None.

**Representative Garfield** moved to report **HB 5819** and an **(H-1)** substitute with recommendation. The motion was supported by **Representative Tobocman**.

The motion prevailed by a vote **6-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Tobocman.

Nays: None.

Pass: None.

**Representative Tobocman** moved to report **HB 5820** with recommendation. The motion was supported by **Representative Gosselin**.

The motion prevailed by a vote **6-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Tobocman.

Nays: None.

Pass: None.

**Representative Garfield** moved to adopt the minutes of the **March 7, 2006** meeting. The motion was supported by **Representative Gosselin**. There being no objection, the motion carried by unanimous consent.

**Representative Tobocman** moved to excuse absent members. The motion was supported by **Representative Sheen**. There being no objection, the motion carried by unanimous consent.

There being no further business to come before the committee, the Chair adjourned the meeting at 11:12 a.m.

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**Representative Leon Drolet, Chair**  
**House Standing Committee on Government Operations**  
Eric Esch  
Acting Committee Clerk  
517-373-0070  
42 Minutes